



**REGULAR MEETING OF CITY COUNCIL HELD
MONDAY, JANUARY 11, 1999**

Mayor Davis called the meeting to order at 8:06 p.m.

ROLL CALL was answered by Edward V.J. Putens, Rodney M. Roberts, Alan Turnbull, Thomas X. White and by Judith F. Davis, Mayor.

ALSO PRESENT were Michael P. McLaughlin, City Manager; Robert Manzi, City Solicitor; W. Bowman Ferguson, Management Analyst and David E. Moran, City Clerk.

Mayor Davis observed a moment of silence for Mildred Hieber, Sylvester Pranger and Anna Mae Waytko. Then, she led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: Mr. Putens moved approval of the consent agenda. Mr. White seconded. The motion passed 5 to 0.: Mr. Putens moved approval of the consent agenda. Mr. White seconded. The motion passed 5 to 0.

COUNCIL THEREBY TOOK THE FOLLOWING ACTIONS:

MINUTES::

- Regular Meeting, November 23, 1998
- Legislative Dinner, December 10, 1998
- Work Session, December 16, 1998
- Executive Session, December 21, 1998
- Work Session, December 21, 1998

Approved as presented.

POLICE DEPARTMENT EQUIPMENT EXCHANGE: Council approved the acquisition of the semi-automatic sage gun through the exchange of seized shot guns.

APPOINTMENTS TO COG BOARDS AND COMMITTEES: Council authorized the City Clerk to communicate these reappointments, with the addition of Mr. White as an alternate to the Board of Directors to COG.

REAPPOINTMENTS TO ADVISORY GROUPS: Council reappointed the following individuals for three year terms.

Gil Weidenfeld Employee Relations Board
John Mongelli Employee Relations Board

Clara Kuehn Advisory Planning Board
Theodore Kowaluk Advisory Planning Board

Council removed the following individuals from their respective advisory groups and send an appropriate letter of appreciation:

Karen Yoho Advisory Committee on Education
Richard Reid Advisory Committee on Education
Justin McNeil Youth Advisory Board

APPROVAL OF AGENDA: Mr. McLaughlin added "Contested Case Hearing." With that change, Mr. Putens moved that the agenda be approved. Mr. Turnbull seconded. The motion passed unanimously. : Mr. McLaughlin added "Contested Case Hearing." With that change, Mr. Putens moved that the agenda be approved. Mr. Turnbull seconded. The motion passed unanimously.

PRESENTATIONS:

PETITIONS AND REQUESTS: Gordon Pickering of 7931 Mandan Road, #304, presented a letter to City Council. He noted that he had requested assistance of a mediation board and nothing had been done. He noted that he had discussed the issue with the Police Department. He wanted the City to help and was requesting a meeting with Chief Craze. : Gordon Pickering of 7931 Mandan Road, #304, presented a letter to City Council. He noted that he had requested assistance of a mediation board and nothing had been done. He noted that he had discussed the issue with the Police Department. He wanted the City to help and was requesting a meeting with Chief Craze.

Mr. Roberts suggested a referral to CRAB. Mr. White suggested that the City contact the Greenbriar Board of Directors.

MINUTES:

ADMINISTRATIVE REPORTS: Mr. McLaughlin referenced a list of agenda items for the GEAC meeting. He also provided an update on the snow removal operation.

Bo Ferguson presented a report on the film festival. Mr. Ferguson stated that the classic film festival had been very successful. He reported on the upcoming Hitchcock Festival.

Mr. Putens noted that some residents of Greenbelt, particularly in Greenbelt East, are not receiving the Gazette. Tony Ragazzo, Circulation Manager for the entire county, stated he wanted anyone to call him if they are not receiving The Gazette.

Mayor Davis announced that Richard Castaldi had been appointed by Governor Glendenning as the Special Assistant for Inter-Governmental Relations. Mayor Davis referenced the closing of the Greenbelt Nursing Home and suggested that the city determine what the building might be used for. Mr. McLaughlin responded that it had been reported that the owner intends to reopen the home and that the City would continue to monitor this situation.

A RESOLUTION PROVIDING FOR A REFERENDUM TO BE HELD AT A SPECIAL ELECTION ON TUESDAY, MARCH 9, 1999, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY OF GREENBELT, MARYLAND THE QUESTION OF APPROVING THE ANNEXATION OF THE PARKSIDE COMMUNITY

Mayor Davis read the agenda comments. Mr. White introduced the above titled resolution for second reading and final passage. Mr. Putens seconded.

Mayor Davis suggested that in Section 2 "The Parkside community..." be shortened to "Parkside." Mr. Putens moved to amend the Resolution by deleting the words "The" and "community" from Section 2. Mr. White seconded. The motion passed 5 to 0.

Mr. Turnbull suggested that a question mark be added after city in Section 2. Mayor Davis noted that "Luck" in Good Luck Road needed to be capitalized. The City Clerk was directed to incorporate these grammatical changes.

Sylvia Lewis, of 2-C Gardenway, raised concerns about the explanatory wording under Section 2. She believed that the language was unnecessary. She stated that it contained duplicative language as well as language that was not included in the original Resolution.

Robert Lewis of 2-C Gardenway, stated that the explanatory language misrepresented the situation and amounted to an advertisement for the Parkside annexation. He believed that the Council members who voted for annexation were using this wording as an opportunity to influence voters.

Mayor Davis stated that both sides would be given an opportunity to make their arguments to the voters through the media and other forums.

Barry Schlesinger, 155 Westway, stated that Parkside was over 2 miles away from the nearest service delivery area. He suggested that there be a map at the polling places which illustrates this..

Mr. Turnbull moved that the explanatory language read as follows "Parkside is a subdivision located on the north side of Good Luck Road. It includes the streets of Crest Park Drive, Magnolia Hill Lane and Camillo Court." In response to a concern raised by Mr. White, Mr. Manzi believed this would border on a substantive change. Mr. Moran expressed his hope that the Resolution would be adopted at this meeting so that official election preparations could begin. Mr. Roberts seconded.

Mr. White believed the explanatory language was necessary and hoped Council would reject the amendment and move forward to approve the resolution.

Mr. Roberts believed the explanatory wording was biased. He stated that in order to access Parkside you have to leave the City of Greenbelt. He hoped Council could compromise and suggested posting a map showing the location of Greenbelt and Parkside.

Mayor Davis stated that her earlier motion removing two words was somewhat of a compromise.

The amendment motion failed 2 to 3 (Davis, Putens, & White).

Mr. Roberts moved to add a map in the voting booth. There was no second to his motion.

Mr. Turnbull noted that citizens had testified that they believed that the language was unfairly influencing the outcome of the election. He believed this was a good reason to keep the language as straightforward as possible.

ROLL CALL:

Mr. Putens - yes

Mr. Roberts - no

Mr. Turnbull - no

Mr. White - yes

Mayor Davis - yes

The Resolution was declared passed. (Resolution No.884. Book No.11)

NATIONAL CAMPAIGN - MOTION DETECTOR FOR POLICE CARS: Mayor Davis read the agenda comments. Brian Choper of 121 Northway, stated that he was representing In-Time International. Mr. Choper summarized the history of the development of this product. He requested permission to use the city and its logo in promotional materials and also wanted a liaison in the Police Department. Mr. Choper thanked Sgt. Parker, Officer Walter, Chief Craze and Mr. McLaughlin.

Mayor Davis asked if staff had looked at use of the logo. Mr. McLaughlin responded that he would like additional time to consider these issues.

Mr. Roberts asked if Mr. Choper had invented the device. Mr. Choper responded that he had helped design and market the device. Mr. Roberts also had concerns about the use of the logo.

Mr. Putens wanted a limited use of the logo and believed it would be a successful product.

Mr. White asked about the cost. Mr. Choper indicated that the cost was \$300. Mr. White asked about the dual use of the item. Mr. Choper indicated it depended on how you wire the unit.

Sheldon Goldberg of 7848 Jacobs Drive saw a use for this device on the Windsor Green truck.

Mr. Turnbull also expressed concern about logo use and hoped that the city would be very business like in its approach to this matter.

SIGN REQUEST - TEMPORARY REAL ESTATE ADVERTISING: Mayor Davis read the agenda comments. Terri Hruby, Community Planner, noted that the request was coming from the new owner of the undeveloped portion of Belle Point. She illustrated the location on a site plan map.

Amjad Kahn, representing the owner, stated that he needed this sign to attract attention from drivers on Greenbelt Road. Mr. Kahn noted that 7 additional buildings could be built.

Mr. Roberts asked if this sign would impact Lakecrest Drive. Ms. Hruby responded that the sign would be several hundred feet from the intersection.

Mr. Turnbull asked if this would establish a precedent. Mr. Manzi responded that he believed the city had done this in the past. Mr. White asked about the number of units. Mr. Kahn responded that there would be 62 units.

Mr. Roberts asked about the purpose of the sign. Mr. Kahn responded that the sign was to recruit tenants.

Mr. Turnbull stated his belief that signs did not drive the market for office space. He was not in favor of additional signs on Greenbelt Road

Ms. Davis stated that she would like the commercial part to be viable and built out. Mr. Putens believed that in this case the temporary sign should be tested.

Mr. Roberts expressed concern that the sign agreement was too opened ended. Mayor Davis asked that the issue return to Council after six months.

Mr. Putens moved that Council approve the request for a temporary real estate advertising sign for the Belle Point commercial development within city right-of-way along American Legion Drive with the following conditions:

1. Permit is valid for a period of six months at which time the status of the sign will be reevaluated by staff at six month intervals;
2. The old skeleton from the previous advertising sign visible from the Beltway must be removed prior to installation of the new sign;
3. The exact location of the sign is to be field sited with city staff prior to installation;
4. The face of the sign does not exceed 6 feet in height and the wood posts do not exceed 2 feet in height;
5. Landscaping be provided along the base of the sign with landscaping plans submitted to City staff for approval prior to installation;
6. A color rendering of the sign, showing dark lettering on a light background, be submitted to City staff for approval prior to installation of the sign; and
7. The applicant agrees that the sign will not be lighted.

Mr. White seconded. Mayor Davis requested that the American Legion be notified. The motion passed 4 to 1 (Turnbull).

APPROVAL OF PURCHASE - POLICE CARS: Mayor Davis read the agenda comments. : Mayor Davis read the agenda comments.

Mr. Putens moved that Council authorize the purchase of two police cars from Norris Ford in Baltimore at a cost of \$40,454 in accordance with the Maryland State Police bid. Mr. Roberts seconded. The motion passed 5 to 0.

REVISION TO GREENBELT LAKE WATER QUALITY IMPROVEMENT PROJECTS: Mayor Davis read the agenda comments. Ms. Hruby explained the scope of the project and the work that the city had already completed. Mr. White asked specifically which projects would not be built if Council approved the staff recommendation. Ms. Hruby responded these would be: the Roosevelt Center/St Hugh's culvert, the stabilization of the Hillside Road outfall and the installation of the fire department level spreader.

Mr. White and Mr. Turnbull asked about prospects for future grants. Ms. Hruby and Mr. McLaughlin responded that prospects for future grants are very good. Mr. Turnbull believed the upstream problems were of a significant nature and the upstream projects should be pursued first.

Mr. Roberts asked what was being done behind the tennis courts. Ms. Hruby responded that she did not have the specifics. Mr. Roberts agreed that the city should concentrate its efforts upstream.

Mr. McLaughlin noted that the city could save \$15,000 by being responsible for the sediment from the dredging, but staff did not want to pursue this. He also noted he would get Council a report on the Public Works' activities behind the tennis courts.

Mr. White understood the city's strategy of trying to close out the project with the Maryland Department of the Environment (MDE). He stressed that this was an excellent program and suggested that in the future the city manage the program better even if it means coming up with the funding.

Mr. Turnbull believed that it made more sense to do the other projects first and reduce the amount of sediment entering the forebay. Mr. Turnbull moved that the city proceed with the Hillside stabilization, level spreader, wetland plantings and the educational campaign. Mr. Roberts seconded.

Mr. White stated that the city negotiated the forebay project with MDE, but that traditionally a dredging project might not be funded. Ms. Hruby agreed noting that MDE does not normally pay for maintenance projects (like dredging).

Mr. Roberts did not believe that completion of the upstream projects would jeopardize future funding.

Mr. Putens raised the possibility of allocating additional funds and completing all the projects. Mr. McLaughlin noted that this would commit some of next year's capital projects funds. Mr. Turnbull and Mr. Roberts withdrew their motion. Mr. Putens moved that City Council complete all of the construction projects at an additional estimated cost of \$41,600. Mr. Roberts seconded. Mr. Turnbull asked that Council receive a report on the tennis courts before any action takes place.

The motion passed 5 to 0.

PRINCE GEORGE'S ECONOMIC DEVELOPMENT TELEVISION CAMPAIGN: Mayor Davis read the agenda comments. Mr. White asked if the City had complete control over the 15 seconds. Ms. Palau responded yes.

Mr. White moved that the City agree to participate in the program at the \$3,510 level. Mr. Turnbull seconded.

The motion passed 5 to 0.

CONTESTED CASE HEARING: Mr. Manzi reviewed the City's opposition to the USDA project and the widening of Edmonston Road to Sunnyside Avenue. He requested that Council approve the filing of a request for a contested case hearing and advised Council that this was the appropriate first step. : Mr. Manzi reviewed the City's opposition to the USDA project and the widening of Edmonston Road to Sunnyside Avenue. He requested that Council approve the filing of a request for a contested case hearing and advised Council that this was the appropriate first step.

Mr. Roberts moved approval of the filing of a contested case hearing. Mr. Putens seconded. Mr. White noted that the filing would be done by outside counsel. The motion passed 5 to 0.

MEETINGS: Council scheduled a work session on the bus system proposal for 2/1 and rescheduled the Year 2000 work session to 2/10. Council scheduled a work session on Roosevelt Center Renovation Project for 2/17. Council reserved 2/24, 2/25 or 3/1 for the Federal Legislative Dinner, Mid-Term Legislative Dinner and the work session with the fire department.

ADJOURNMENT: Mr. Putens moved to adjourn the meeting. Mr. Turnbull seconded. The motion carried 5 to 0. Mayor Davis adjourned the regular meeting of January 11, 1999, at 11:20 p.m

Respectfully Submitted,
David E. Moran, CMC
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held January 11, 1999."

Judith F. Davis
Mayor